



CRL OP(MD). No.9603 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 25/06/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

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1.Raja,
S/o.Paraman

2.Anbu @ Anburaja,
S/o.Rajangam

3.Karthik,
S/o.Arumugam

... Petitioners/ A2 to A4

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Odaipatti Police Station,
Theni District.
(Crime No.78 of 2025)

... Respondent/ Complainant

For Petitioners : Mr.Sivaprakash.S.,
Advocate

For Respondent : Mr.S.Prakash,
Government Advocate (Criminal Side)



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PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

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PRAYER :-

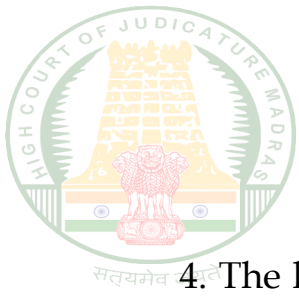
For Anticipatory Bail in Crime No.78 of 2025 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/A2 to A4, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 137(2), 115(2), 127(2), 142 and 351(3) of BNS, 2023 r/w. Section 4 of TNPHW Act, 1998 in Crime No.78 of 2025 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 31.05.2025, at about 2.00 p.m., while the de-facto complainant was standing outside his house, the accused persons approached the house of the de-facto complainant's sister in a car and forcibly pulled her into the vehicle, thereby kidnapping her. Hence, the present case.

3. The learned counsel for the petitioners submitted that the de-facto complainant and the 1st accused are neighbours and there were some money dispute between them. At the time of occurrence, the petitioners herein were not in the scene of occurrence. Solely based on the confession of the 1st accused, the petitioners have been implicated in this case. He further submitted that the petitioners are innocent persons and have not committed any offence as alleged by the prosecution. Hence, he seeks anticipatory bail for the petitioners.



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4. The learned Government Advocate (Criminal Side) submitted that there are totally four accused persons in this case and the petitioners have been arrayed as A2 to A4. A1 was arrested and subsequently released on bail on 17.06.2025 by the learned Judicial Magistrate, Uthamapalayam in CrI.M.P.No.687 of 2025. He further submitted that no one sustained any injuries due to the alleged incident. However, he opposed to grant anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case, and also taking note of the fact that no one sustained any injuries due to the incident, and that the co-accused has been arrested and subsequently released on bail, this Court is inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of their arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Uthamapalayam, Theni District on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each, with two sureties each for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Judicial Magistrate, Uthamapalayam, Theni District and on further conditions that:



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(a) the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioners shall furnish their residential address and mobile number to the learned Judicial Magistrate, Uthamapalayam, Theni District. In the event of any change in their residential address, the petitioners shall report the same to the learned Judicial Magistrate, Uthamapalayam, Theni District;

(c) the petitioners shall report before the respondent police daily at 10.30 a.m., until further orders;

(d) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioners shall not abscond either during investigation or trial;

(f) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in *P.K.Shaji Vs. State of Kerala* [(2005) AIR SCW 5560]; and;



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(g) if the accused thereafter abscond, a fresh FIR can be registered under
Section 269 of BNS, 2023.

sd/-
25/06/2025

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/06/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

MKN

TO

1 THE JUDICIAL MAGISTRATE,
UTHAMAPALAYAM,
THENI.

2 DO THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
THENI DISTRICT.

3 THE INSPECTOR OF POLICE,
ODAIPATTI POLICE STATION,
THENI DISTRICT .

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S. SIVAPRAKASH.S. Advocate SR.No.6807 (I) DT.26/06/2025



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ORDER
IN
CRL OP(MD) No.9603 of 2025
Date :25/06/2025

NM/08.07.2025/ 6P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023